

# MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

## PART I: GENERAL INFORMATION

<b>Type of Requestor:</b> (x) HCP ( ) IE ( ) IC	<b>Response Timely Filed?</b> ( ) Yes (x) No
Requestor's Name and Address Spine Hospital of South Texas 18600 North Hardy Oak Blvd. San Antonio, Texas 78258	MDR Tracking No.: M4-05-2470-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address Fidelity & Guaranty Insurance Company P O Box 13367 Austin, Texas 78711-3367 Box 19	Date of Injury:
	Employer's Name:
	Insurance Carrier's No.: 001687001273WC01

## PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
08/31/04	09/03/04	Surgical Admission	\$20,299.84	\$3,527.88

## PART III: REQUESTOR'S POSITION SUMMARY

"Further the TWCC also clearly provides that 'reimbursement for the entire admission including charges for items in (C)(4) is calculated by the stop-loss reimbursement amount of 75% times the total charges.' Therefore, our facility requests immediate and proper reimbursement of 75% of audited charges pursuant to Texas Administrative Code Section 134.301(c)(6)."

## PART IV: RESPONDENT'S POSITION SUMMARY

No response noted in the case file.

## PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested additional reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed \$40,000 in total audited charges, but also involve "unusually extensive services."

After reviewing the information provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." Accordingly, the stop-loss method does not apply and the reimbursement is to be based on the per diem plus carve-out methodology described in the same rule.

The total length of stay for this admission was 3 days (3 days for surgical). Accordingly, the standard per diem amount due for this admission is equal to \$3,354.00(3 times \$1,118). In addition, the hospital is entitled to additional reimbursement for (implantables and 3 day hospital stay) as follows:

Carrier's reimbursement of the three day admission is \$3,149.99

The carrier did not reimburse the provider per rule 134.401(c)(2) for the inpatient admission amount of \$3,354.00(3 days x \$1,118.00), leaving \$204.01 in additional reimbursement.

Provider charged \$15,148.00 per the UB-92 for the implantables.

Implantables: Invoice total submitted by provider = \$8,274.14

Carrier reimbursement of implantables was \$5,777.68

The implantables were not properly reimbursed per rule 134.401(c)(4)(A) at cost plus 10%. Invoice total is \$8,274.14 x 10% = \$9,101.55 - \$5,777.68 already paid = \$3,323.87 additional reimbursement for the implantables.

The amount of additional reimbursement recommended is \$3,323.87 for the implantables + \$204.01 for the three day inpatient admission = \$3,527.88 additional reimbursement.

Therefore, based on the facts of this situation, the parties' positions, and the application of the provisions of Rule 134.401(c), we find that the health care provider is entitled to an additional reimbursement amount for these services equal to \$3,527.88.

**PART VI: COMMISSION DECISION**

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is entitled to additional reimbursement in the amount of **\$3,527.88**. The Division hereby **ORDERS** the insurance carrier to remit this amount plus all accrued interest due at the time of payment to the Requestor within 20-days of receipt of this Order.

Ordered by:

Michael Bucklin

03/02/05

Authorized Signature

Typed Name

Date of Order

**PART VII: YOUR RIGHT TO REQUEST A HEARING**

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on \_\_\_\_\_. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

**Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.**

**PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION**

I hereby verify that I received a copy of this Decision and Order in the Austin Representative's box.

Signature of Insurance Carrier: \_\_\_\_\_ Date: \_\_\_\_\_